

### REMARKS

In response to the requirement for restriction and election of species mailed September 8, 2008, Applicants hereby elect group I, claims 1-14 and 16, drawn to compounds and compositions. Moreover, Applicants elect, as the single disclosed species, {4-[4-(Ethyl-5-methyl-4-phenyl-1H-imidazol-2-yl)thiazol-2-yl]piperid-1-yl}[(6-methyl-4'-trifluoromethoxybiphenyl-2-yl)methanone. The requirement for restriction is respectfully traversed. PCT rules 13.1 and 13.2, embodied in 37 C.F.R. 1.475 and 1.499, clearly state that an application *shall* be considered as having unity of invention, where the claims are directed to various combinations and categories, including a product, a method especially adapted for the production of the product, and a method for using the product. See annex B of the instructions. This is clearly *apart* from the presence or absence of any "special technical feature", contrary to the discussion in the Office Action. Accordingly, it is submitted that the process of preparation of the compounds in claim 15, and methods of use thereof in claim 17 (note that claim 17 has been revised as a method claim for U.S. practice) should be rejoined. The same is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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